

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

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UNITED STATES OF AMERICA,	*	
	*	
Plaintiff,	*	8:10-cr-00023
	*	
v.	*	
	*	
SCOTT PATRICK McNEILL,	*	ORDER
	*	
Defendant.	*	
	*	

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Before the Court is a Motion to Restrict Attachments to the Plea Agreement, filed by Scott Patrick McNeill (“Defendant”) on May 11, 2010. Clerk’s No. 36. In his Motion, Defendant requests that attachments A and A1 through A5 to his plea agreement, which contain both stipulated facts and copies of letters, be sealed because:

The Defendant identifies himself in these letters as a member of a group which endorses violence against individuals because of their religion, ethnicity, race, and/or political beliefs. The incendiary nature of the language in these letters has the potential to cause this and like minded groups to act in accordance with their cause. Although each victim in this case is a public figure, identifying them by name as a target of this particular group may have negative repercussions. This is a reason why the Indictment did not identify the names of all the victims. There is no legal requirement that a stipulation of fact be part of a plea agreement. For all these reasons, the potential harm of unrestricted access to the Attachments outweigh the general public interest, and should therefore be restricted to the parties.

*Id.* The Motion states that the Government has no objection to the request. *Id.* The Court, however, disagrees with the parties on this matter because the stated reason is too ethereal in nature to justify sealing the documents. The Court has a duty to ensure that the criminal justice system is as transparent as possible so that the public can continue to place its confidence in the system, and Defendant’s nebulous concern is simply insufficient. If the parties have a specific reason why the documents should be sealed, then they may re-file a similar motion, under seal if

necessary, clearly articulating the source of the concern. The Motion is, thus, DENIED.

IT IS SO ORDERED.

Dated this \_19th\_ day of May, 2010.

  
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ROBERT W. PRATT, Chief Judge  
U.S. DISTRICT COURT